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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/492,052	01/26/2000	Jin-Soo JEONG	P992070	9396
33942	7590	09/27/2004	EXAMINER	
CHA & REITER, LLC 210 ROUTE 4 EAST STE 103 PARAMUS, NJ 07652			GARY, ERIKA A	
			ART UNIT	PAPER NUMBER
			2681	

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/492,052

Applicant(s)

JEONG, JIN-SOO

Examiner

Erika A. Gary

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 9-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6, 9 and 10 is/are allowed.
- 6) ☒ Claim(s) 11-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dufour, US Patent Number 6,073,010 (hereinafter Dufour) in view of Chow, US Patent Number 6,546,253 (hereinafter Chow).

Regarding claim 11, Dufour discloses a method for controlling a hand-off of mobile station (MS) for home zone service (fixed subscriber area) in a mobile telecommunications system [col. 3: lines 18-21, 61-67] including a plurality of base transceiver station (BTSs), a base station controller (BSC) for controlling said BTSs, and a mobile switching center (MSC) for connecting said BSC with one BTS to another BTS or another network, wherein said BTS provides the home zone service [col. 3: lines 10-12; col. 4: lines 25-27], the method comprising the steps of:

(a) causing said MS to connect a communication channel with said BSC via said another BTS in response to either one of an outgoing call and an incoming call [col. 4: lines 58-60];

(b) causing said BSC to store a home zone list and a subscriber service class information of said MS received from said MSC [col. 3: lines 29-38]; and

(c.) causing said BSC to selectively perform the hand-off requested by said MS according to the home zone list and the subscriber service class information [col. 3: lines 64-67].

What Dufour does not specifically disclose is that the home zone service of the MS is the home zone service of a fixed network in which the MS is further registered for use. However, Chow discloses controlling hand-off of an MS wherein the MS is registered to be used in the home zone service of a fixed network [col. 2: line 66 – col. 3: line 3].

Dufour and Chow are combinable because they are from the same field of endeavor, that is, controlling handoff from a fixed home zone service area. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify Dufour to include Chow. The motivation for this combination would have been to provide the specific handoff steps of Dufour to Chow's cordless/cellular system as Dufour teaches controlling handoff from a fixed subscription area which functions as Chow's home zone service of a fixed network.

Regarding claim 12, Dufour discloses the step of dropping said communication channel if said another BTS is not included in the home zone list and if said MS is registered to be used only in the home zone service [col. 3: lines 38-41].

Regarding claim 13, Dufour discloses the step of dropping said communication channel comprises the step of sending an attention message to said MS and causing

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said MS to output said attention message to inform the subscriber of said MS [col. 7: lines 18-20].

Regarding claim 14, Dufour discloses said attention message comprises either one of visual characters, tones, and flash light [col. 7: lines 19-20].

Regarding claim 15, Dufour discloses the hand-off is performed if said another BTS is included in the home zone list [col. 7: lines 14-17].

Regarding claim 16, Dufour discloses the hand-off is performed if the subscriber class information specifies that said MS registered to be used both in the home zone service and a non-home zone service [col. 6: lines 1-5].

Allowable Subject Matter

3. Claims 1-6, 9, and 10 are allowed.

Response to Arguments

4. Applicant's arguments filed August 23, 2004 have been fully considered but they are not persuasive with respect to claim 11. The Examiner maintains that claim 11 is unpatentable over Dufour in view of Chow. Again, both references teach handoff from a fixed home zone service area. Further, Chow teaches that the home zone service is defined by a fixed network. Chow also teaches that aspects of the invention involve handing off between two mobile services and also between a cordless service (fixed network) and a cellular service [col. 2: line 66 – col. 3: line 3].

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Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika A. Gary whose telephone number is 703-308-0123. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, supervisor Dave Hudspeth can be reached on 703-308-4825. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750 or to the 2600 Customer Service Office at 703-306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9306 (for informal or draft communications, please label
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive Arlington, VA., Sixth Floor (Receptionist).

EAG
September 22, 2004


ERIKA A. GARY
PRIMARY EXAMINER